IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION No.1732 of 2007

Nhanu Jagannath Jadhav . ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Mr Y. P. Yagnik, Advocate,for the applicant.

Ms S. D. Shinde, APP for the State.

Mr A. S. Khandeparkar i/b Khandeparkar & Associate for the Complainant.

CORAM: V.C. DAGA,J.
DATED: 7th Sept,2007.

P.C.:-

1. Heard learned counsel for the applicant, learned APP for the State-respondent no.1 and learned counsel for the the respondent no.2-complainant.

2. Perused application and the material available on record.

3. The applicant is seeking anticipatory bail in C.R. No.22 of 2006 registered with OROS Police Station, District Sindhudurg for the offence punishable under Sections 406, 418, 420 read with 34 of the I.P.C.

4. The dispute relates to the amount of the pension received by the wife of the present applicant; namely, Madhuri as nominee. Since

the heirs of the deceased were minor, the said Madhuri has received this amount as nominee. It was open for the persons claiming interest therein to file a suit and establish their right. Prima facie, I do not think custodial interrogation is necessary.

5. In the above view of the matter, I am inclined to grant bail to the applicant on following terms and conditions:-

a] The applicant-accused Nhanu be released on bail in the event of his arrest in C.R.No.22 of 2006 registered with Oros Police Station for the offence under Sections 406, 418, 420 read with Section 34 of the I.P.C. in the sum of Rs.5,000/-with one or two sureties to make up the said amount.

(b) that he should report to Police Station, once in a week i.e. on every Sunday between 3.00 to 5.00 p.m.

(c) that he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the

Court or to any police officer;

(d) that he shall not pressurise witnesses and that he shall co-operate with the Investigating agency.

6. The applicant is put on notice that on a report by the State in violating any of the conditions by him, mentioned herein, shall result in cancellation of this bail order.

7. This order of anticipatory bail shall remain in force till the filing of the charge sheet. It would be open for the applicant to apply for regular bail before the regular Court.

8. The application is allowed in the above terms.

(V.C. DAGA,J.)